

Attorney Docket No.: RTS-0325
Inventors: Bennett and Wyatt
Serial No.: 10/016,149
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REMARKS

Claims 1, 5-10 and 12-15 are pending in the instant application. Claims 1, 5-10 and 12-15 have been rejected. Claim 1 has been amended. No new matter has been added by this amendment. Reconsideration is respectfully requested in light of this amendment and the following remarks.

I. Rejection of Claims Under 35 U.S.C. 112, First Paragraph

Claims 1, 5-10 and 12-15 have been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Examiner suggests that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. The Examiner suggests that the recitation of "nucleobases 703 through 992" is new matter. Applicants respectfully disagree with the Examiner's suggestion.

In the previous Office Action response (dated June 1, 2004) Applicants amended the claims to recite that the antisense compounds are targeted to a specific nucleobase region, nucleobases 703 through 992, within the 3'-untranslated region of phospholipase

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A2 group V of SEQ ID NO: 3. As discussed in the previous response, support for this amendment to the claims can be found at Table 1 of the specification as filed where the starting point and stopping point of the region now claimed can be easily identified. For example, at page 82, line 29, of Table 1, the start point of the claimed region is identified. Then, at page 82, lines 30-51, Table 1, antisense compounds 20 nucleobases in length targeted to a region that ends, according to line 51, at nucleobase 992 is taught and listed (nucleobase 973 targeted by the 20 mer compound). The table teaches that the region between 703 and 992 can be targeted specifically. Since the claims are drawn to compounds that can be from 8 to 50 nucleobases in length, there are no gaps in this region larger than the 50 mer length, consistent in teaching of the specification as filed. However, in an earnest effort to advance the prosecution of this case, Applicants have amended claim 1, and by dependency claims 5-10 and 12-15, to recite that the antisense compounds of the instant invention are targeted to either nucleobases 969 through 992 of SEQ ID NO: 3. This region falls within the larger region of the claims currently pending. Support for this amendment can be found at Table 1, page 82, where it is explicitly taught that this region can be a start point and a stop point for oligonucleotides that have activity to inhibit expression

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of phospholipase A2 group V. This region is ones with no gaps that are not overlapped by a 20 mer compound of the instant invention. Accordingly, the claims as amended meet the requirements of 35 U.S.C. 112, first paragraph. Withdrawal of this rejection is respectfully requested.

II. Conclusion

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record. Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,

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